

CITY OF MILWAUKIE

ORDINANCE NO. 1759

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, PROVIDING FOR CONTINUED ECONOMIC IMPROVEMENT DISTRICT ASSESSMENTS THROUGH FISCAL YEAR 1998-99 AND GRANTING PROPERTY OWNERS IN THE DISTRICT THE RIGHT TO REMONSTRATE

WHEREAS, after notice and hearing, Ordinance No. 1704 was adopted by the City Council on May 7, 1991, and created an economic improvement district in the downtown area, determined the boundaries of the district, determined the formula for assessment of benefitted properties and assessed the benefitted properties within the district boundaries for a three year period; and

WHEREAS, Ordinance No. 1710, adopted by the City Council on July 16, 1991, amended Ordinance No. 1704 to provide for a fiscal year collection cycle and to provide for certification of the assessments to the County Tax Assessor for collection; and

WHEREAS, the City's authority pursuant to Ordinance No. 1704 to levy assessments for the economic improvement district expires after fiscal year 1993-94; and

WHEREAS, ORS 223.124 authorizes the adoption of an ordinance providing for continued assessments; and

WHEREAS, the City Council finds it beneficial to the downtown area and the City as a whole to continue the assessments in order to provide funding for an economic improvement district; now, therefore;

THE CITY OF MILWAUKIE ORDAINS AS FOLLOWS:

Section 1. The economic improvement district created by Ordinance No. 1704 shall remain in effect and the assessments authorized by Ordinances No. 1704 and 1710 shall continue to be levied through fiscal year 1998-99 pursuant to the terms of Ordinances No. 1704 and 1710.

Section 2. The City Council grants to property owners in the economic improvement district the notice and right to remonstrance described in ORS 223.117(2)(b) to (e). Therefore:

(a) The City Recorder is directed to prepare and file the assessment roll.

(b) The City Recorder is directed to mail to the owner of each lot to be assessed a notice that the assessments are to be continued, and stating the time and place of a public hearing at

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which time affected property owners may appear to support or object to the continuation of the assessment. The notice shall contain the amount of the proposed assessment for fiscal year 1994-95. The hearing shall not be held sooner than 30 days after mailing of the notice.

(c) The City Council, at said public hearing, may correct, modify or revise the assessments and shall determine if the assessments are to be continued.

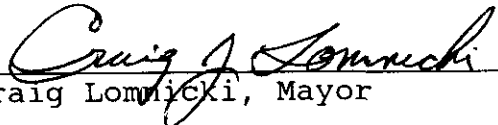
(d) The assessments will not be made and the economic improvement project terminated when written objections are received at the public hearing from owners of property upon which more than 33 percent of the total amount of assessments are levied.

Section 3. If sufficient written objections to terminate the economic improvement project are not received at the public hearing, then the assessments shall be levied through fiscal year 1998-99 pursuant to the terms of Ordinances No. 1704 and 1710.

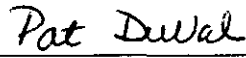
Read for the first time on April 9, 1994 and moved to a second reading by unanimous vote of the City Council.

Read for the second time and adopted by the City Council on April 19, 1994.

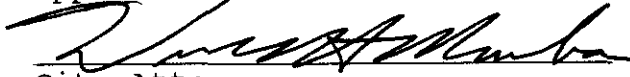
Signed by the Mayor on April 19, 1994.


Craig Lomnicki, Mayor

Attest:


City Recorder

Approved as to form:


City Attorney

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